## REMARKS

Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims. Claims 1-10 currently are pending.

Claims 1-3 and 5-10 have been amended. Applicant notes with appreciation the Examiner's indication of allowable subject matter for claim 9. Claim 9 has been rewritten to include all the features of original independent claim 8. Accordingly, claim 9 is allowable.

The amendments to claims 1, 5, 7 and 10 merely correct minor informalities and otherwise improve readability of these claims.

Claim 2, has been amended to recite that the output system encryptor does not operate to encrypt data sent to the output device that bypasses the printer driver software, and a decryptor, provided on the output device, for decrypting data encrypted by the encryptor and output data that bypasses said driver software. Claim 6 has been amended similarly with respect to processes in an output method. Claim 8 has been amended to recite the steps of encrypting output data from an application program run on the data processing device that passes driver software stored in the data processing device for controlling the output device, and outputting the encrypted data to the output device, and that the step of encrypting is not performed for data output to the output device that bypasses the driver software. Support for these amendments is found, for example, in pages 15-19 of the specification, and in Figures 5 and 6.

Claim 3 has been amended to recite that the prohibiting controller operates to prohibit data bypassing the driver software to be output to the output device, but allows data passing the driver software to be output to the output device. Support for this amendment is found in 20-22 of the specification, especially page 22, lines 13-15, for instance.

The Office Action includes a rejection of claims 1-8 and 10 under 35 U.S.C. §103, as allegedly being obvious over Kakiuchi et al. (U.S. Patent No. 6,687,017) in view of Nagashima et al. (U.S. Patent No. 5,581,613). This rejection is respectfully traversed.

Applicant's independent claim 1 is directed to an output system having a data processing device and an output device for outputting data in a specific format,

which is sent from the data processing device, driver software for controlling the output device being included in the data processing device. Claim 1 recites that the output system includes a first controller for determining whether data on output request passes the driver software, in sending data to the output device, and a second controller for prohibiting data from being sent to the output device for output request on which data bypasses the driver software.

In setting forth the rejection of claim 1, the Office Action essentially states that the Kakiuchi et al. patent teaches all the claimed features except for the second controller for prohibiting data from being sent to the output device for output request on which data bypasses the driver software. It is respectfully submitted, however, that the Kakiuchi et al. patent not only fails to teach or suggest the second controller, but Kakiuchi et al. also does not teach or suggest the claimed feature of a first controller that functions to determine whether data on output request passes the driver software, in sending data to the output device.

In contrast, the portions of Kakuichi et al. relied upon in the Office Action (i.e., column 4, lines 20-31, column 9, lines 54-65, column 10, lines 26-33 and column 12, lines 36-49) do not mention any *determination* being made by a controller concerning whether data on output request passes driver software as claimed. The cited portions, which describe embodiments shown in Figures 1 and 4 of Kakiuchi et al., in fact, appear to describe a system in which the data always passes driver software (i.e., "printer driver 103") when sent to an output device (i.e., "printer 902") on an output request. Hence, the Kakiuchi et al. patent does not teach or suggest the claimed "first controller for determining whether data on output request passes the driver software ...."

The Office Action asserts, with reference to Figure 1 and column 3, lines 11-32 and 50-65, that the Nagashima et al. patent teaches a controller (i.e., "external controller 4) for prohibiting data from being sent to an output device for output request on which data bypasses the driver software. The Action further states that "Nagashima discloses that the controller sends the data directly to the output device." Applicant respectfully disagrees.

The Nagashima et al. patent does not mention driver software in connection with data being output from the controller 4 because Nagashima et al. is not

concerned with the particulars of the host computer connected to the external controller 4 (see, for example, column 4, lines 3-5 and column 5, lines 23-25). Rather, Nagashima et al. is concerned with having the controller 4 and color copying apparatus operate under a common encryption specification so that output data sent to the printer 13 will be abnormal when an encryption information signal of another specification is input to disable encryption (see column 5, lines 4-7). It is respectfully submitted, however, that such common encryption specification would not have taught or suggested whether data is sent "directly" to an output device bypassing any driver software, as alleged by the Examiner.

Even if one were to consider, for the sake of argument, that one of ordinary skill in the art would have somehow been motivated to modify the Kakuichi et al. system to include the external controller of Nagashima et al., such a combination would not have taught or suggested the claimed combination including a first controller that operates to determine whether data on output request passes driver software, and a second controller for prohibiting data from being sent to the output device for output request on which data bypasses the driver software. To the contrary, it would appear that such proposed modification of Kakiuchi et al. would perhaps have suggested a system in which output data sent to an output device *always* passes a printer driver.

For at least these reasons, independent claim 1 recites a combination of features not taught or suggested by the Kakiuchi et al. and Nagashima patents. As such, claim 1 is considered patentable. Similar distinctions are recited in independent claims 5 and 7. Hence, independent claims 1, 5 and 7 are considered allowable.

With respect to independent claim 3, Section 6 on page 3 of the Office Action appears to rely only on the Kakiuchi et al. patent. Therefore, it is not clear to the undersigned whether the Examiner considers this rejection to be under Section 102 or Section 103. In any event, it is respectfully submitted that the Kakiuchi et al. patent does not taught or suggested the combination of each and every feature recited in amended independent claim 3. For instance, claim 3 recites, among other features, a prohibiting controller for prohibiting data bypassing said driver software to be output to the output device, but allowing data passing the driver software to be

output to the output device, by setting a value which is different from an ordinary value for outputting data to the output device, in response to a data output request to the output device from the data processing device. As pointed out above, the Kakuichi et al. system outputs data, from the computer 901 to the printer 902, which *always* appears to pass the printer driver 103.

Moreover, the "stop signal S2" described in the portion of Nagashima et al. relied upon in the Office Action (i.e., column 10, lines 7-33) relates to asserting an output stop signal S2 when the content of image data is recognized to be an object of counterfeiting. In contrast, a value set as recited in amended claim 3 will allow data passing driver software to be output to the output device, but not data bypassing the software. Such feature is not discussed or suggested in either applied reference.

For these reasons, claim 3 is considered patentable. Claim 4 depends from claim 3 and is therefore allowable at least for the reasons given above, and further for the additional features recited.

Claim 2, as amended, is directed to an output system that includes, *inter alia*, "an encryptor for encrypting data passing the driver software, provided on the data processing device, but not for encrypting data sent to the output device that bypasses said driver software." By contrast, the external controller 4 of Nagashima et al. appears to always encrypt data being output to the color copying apparatus 5. It is to be noted that the Office Action includes the statement: "However, Nagashima discloses an encryptor for encrypting data passing the driver software..." (emphasis added) (see, page 3, Section 5, lines 4-5), which contradicts the previously the Examiner alleged that "Nagashima et al. discloses that the controller sends the data directly to the output device." As pointed out above, the the Nagashima et al. patent does not appear concerned with the details of the host computer connected to the controller 4, and as such, would not have taught or suggested that data output from the controller 4 to the printer 13 passes driver software and/or bypasses the driver software. Hence, it is respectfully submitted that any combination of the Nagashima et al. and Kakiuchi et al. patents would not have suggested data being output to the output device bypassing driver software and not encrypting this data while encrypting data passing the driver software as claimed. Indeed, the lack of teaching of this

feature in Nagashima et al. is evident from the Examiner's contradictory statements concerning Nagashima et al. patent.

Hence, the proposed combination of Kakiuchi et al. and Nagashima et al. would not have taught or suggested what is recited in independent claim 2. Amended claims 6 and 8 recite similar features in connection with processes of and output system and program product. Claims 2, 6 and 8 are therefore considered allowable.

Claim 10 is directed to a computer-readable storage medium for storing an installer program for installing driver software for controlling an output device. The driver software is called by a data processing device to output data to the output device in a specific format. Claim 10 recites that the installer program comprises steps of installing the driver software to the data processing device, and installing a program for prohibiting data on output request from being sent to the output device, for request on which data bypasses the driver software. With respect to this combination of features, the Examiner appears to rely only on the Kakiuchi et al. patent. More particularly, the Examiner alleges these features to be disclosed in column 7, lines 61-67, and column 8, lines 1-5 and 9-21 of Kakiuchi et al. The undersigned has carefully considered these cited portions of Kakiuchi et al., but cannot find any teaching or suggestion of the claimed combination of features including the step of "installing a program for prohibiting data on output request from being sent to the output device, for request on which data bypasses the driver software." If such teachings in Kakuichi et al. have been overlooked, the Examiner is respectfully requested to point out the specific lines and explain where these claimed features are purportedly disclosed. Absent such showing, it is respectfully submitted that the rejection should be withdrawn.

In light of the foregoing, reconsideration and allowance of the claims are respectfully requested. Should any other issue arise, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

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